

REMARKS

Applicant has carefully reviewed and considered the Examiner's Office Action dated March 31, 2005. Reconsideration is respectfully requested in view of the foregoing amendments and the comments set forth below.

By this Amendment, claims 1, 5 and 7 are amended and claim 3 is canceled. Accordingly, claims 1-2 and 4-14 are pending in the present application with claims 11-14 being withdrawn as directed to non-elected inventions.

The December 7, 2004 Restriction Requirement states that "Claim 1 links the invention of groups I and II" (page 2, paragraph 2, lines 1-2 of the December 7, 2004 Action). Thus, it is Applicant's understanding that claim 1 is a linking claim and the non-elected dependent claims 11-13 can be rejoined if a linking claim is found allowable. It is believed that these claims should be rejoined as claim 1, as amended, is a linking claim and is allowable over the prior art of record.

Claims 5 and 6 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement, as explained in paragraph 2 of the March 31, 2005 Action. Claim 5 recites "the cutting edge **surfaces** at the respective cutting edge are arranged symmetrical to one another" (emphasis provided). That is, the cutting edge surfaces (of each cutting plate) are arranged axially symmetrical to each other. The cutting **edges** are not necessarily arranged symmetrical to each other. This is illustrated in Fig. 2 of the present application where cutting edges 30, 40 of plates 3, 4 are arranged mirror symmetrical to each other. As explained in paragraph [00012] of the present application, the processing of a cutting plate is simplified if the cutting edge surfaces are arranged symmetrical and the cutting edges are created through a two-sided grinding of a

plate edge in which the cutting plate can initially be ground asymmetrically from one side.

While exemplary Figures 3b and 3d show asymmetrical cutting edge surfaces 31, 32, Figure 2 illustrates cutting edges 30, 40 of cutting plates 3, 4. Cutting edges 30, 40 extend transverse to the rectangular basic surface of the respective cutting plate to form a crosscutter or cross-cutting blade as described in paragraph [00025] of the present application. Thus, each plate 3,4 may have two asymmetrical cutting edge surfaces 31, 32 and two symmetrical cutting edge surfaces 30, 40. Accordingly, claims 5 and 6 are fully enabled by the original disclosure and withdrawal of the rejection under 35 U.S.C. § 112, first paragraph is respectfully requested.

Claims 5 and 6 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for the reasons set forth in paragraph 3 of the Action. It is believed that claims 5 and 7 are amended to clarify the recitation of “the respective cutting edge” and “the cutting edge” (claims 5 and 7, respectively). In addition, the above clarification should aid in the interpretation of the claimed invention. Accordingly, it is believed that claims 5 and 6 are fully definite under 35 U.S.C. § 112, second paragraph and withdrawal of that rejection is respectfully requested.

Claims 1 and 3-8 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,668,691 to Jakobi et al. (hereinafter referred to as “Jakobi”) as described in paragraph 5 of the Action. Claims 1-3 and 7-10 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,083,747 to Zysset for the reasons set forth in paragraph 6 of the Action. These rejections are respectfully traversed.

The claimed invention is directed to a cutting tool for belts and requires 1) a zigzag cutting structure having at least three cutting edges, wherein 2) the cutting edges are cross cutters and 3) two adjacent and transverse cutting edges are joined at a common end. As a result of this structure, only one zigzag cutting structure is needed to achieve a cutting operation that results in belt ends that overlap and can be fit together precisely, as described in paragraph [0009] of the present application. In order to anticipate the claimed invention, each and every recited element of a claim must be disclosed by the prior art of record.

In contrast to the claimed invention, Jakobi is directed to the use of jagged cutters for longitudinal cutting of double-face self adhesive tapes with polypropylene backing. It is the Action's position that Figure 3 of Jakobi somehow shows the recited elements of the claims. Applicants respectfully disagree. Claim 1 has been amended to recited the feature of original claim 3 (that the cutting edges are cross cutters). The terminology "cross cutters" is defined in paragraphs [00010] and [00025] of the present application. According to this definition, a cross cutter is "a diagonal cutting edge on a basic body" that extends "transverse to the rectangular basic surface of the respective cutting plate".

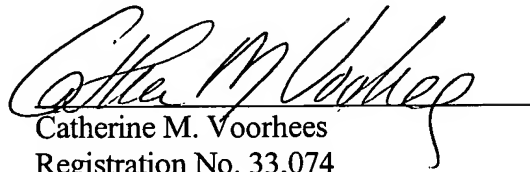
At most, Jakobi discloses a disk knife 10 with adjacent portions 20a and 20b, which are in the same plane of the knife. Nowhere does Jakobi disclose that the adjacent portions are cross cutters; nor does Jakobi discloses adjacent portions that are transverse to the basic surface of the respective cutting plane. Accordingly, Jakobi at least fails to disclose recited features 2) and 3). Consequently, Jakobi cannot anticipate the claimed invention. Withdrawal of the rejection under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,668,691 is respectfully requested.

Zysset is directed to a vegetable shredder having a knife 10 that is formed in a zigzag shape. It is the Action's position that Figures 2 and 3 of Zysset anticipate the claimed invention. Applicants respectfully disagree. Nowhere does Zysset disclose that the adjacent portions are cross cutters; nor does Zysset disclose adjacent portions that are transverse to the basic surface of the respective cutting plane. Accordingly, Zysset at least fails to disclose recited features 2) and 3). Consequently, Zysset cannot anticipate the claimed invention. Withdrawal of the rejection under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,083,747 is respectfully requested.

In view of the foregoing, it is respectfully submitted that independent claim 1 and dependent claims 2 and 4-10 are allowable over the prior art of record. Reconsideration of the application, rejoinder of claims 11-13 and an issuance of a Notice of Allowance are earnestly solicited.

If the Examiner is of the opinion that the prosecution of the application would be advanced by a personal interview, the Examiner is invited to telephone undersigned counsel to arrange for such an interview.

Respectfully submitted,



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